

General	<b>Procedure</b>	Last 12/04/2009 Modified: Handbook Modified <input type="checkbox"/> By: Readers:
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<b>Procedure:</b> Appeals Background Information, dated 03/19/2001 Appeals <input type="checkbox"/> dtd 2005)	<b>Date of Last Review:</b> 03/19/2001
<b>Applicable Documents:</b> <input type="checkbox"/> Executive Order 12968	<b>Impacts:</b>

**Purpose:** Background information on the appeals process

### General

The appeal process is the means by which the CIA provides reviews and appeals to covered personnel who have been deemed ineligible for access to classified information. The Agency's process is in accordance with the adjudicative guidelines promulgated pursuant to Executive Order 12968 and, for cases involving access to Sensitive Compartment Information, incorporated into DCID 6/4. The appeal process outlined below does not apply to cases involving the Agency's withdrawal of a conditional offer of employment or termination of employment for reasons other than ineligibility for access to classified information.

APPROVED FOR RELEASE ☐ DATE:  
10-25-2010

### Executive Order 12968

Executive Order 12968, Executive Order on Access to Classified Information, was signed by the President of the United States on 3 August 1995. The Order required uniform standards for U.S. agencies in granting security clearances and ensured fair treatment for all in the personnel security process. Part 5 of the order, Review of Access Determinations, established a process for appealing the revocation or denial of a clearance. It contained several new features including representation, access to files, a hearing and a three-member appeals panel. The CIA implemented the tenets of E.O. 12968 in ☐

### ☐ Appeal of Personnel Security Decisions

☐ was implemented on 1 January 1997 and the Director of Personnel Security was designated the senior agency official responsible for its administration. Implementation was applied as follows:

A. Applicants who entered processing on 1 January 1997 or later and who were security disapproved as a result of that processing were granted an appeal under

B. Contractors who received a statement of reasons on or after 1 January 1997 were processed for an appeal under

C. Employees for whom the Director of Personnel Security decided to terminate employment for security reasons were granted an appeal under

**Revision of**

A revision of  was approved by the Director of Central Intelligence on 7 July 1998 to provide current policy, authorities and responsibilities regarding the appeal of personnel security decisions. Organizational titles were updated to reflect the establishing of the Center for CIA Security. In addition, the revision reflected the transfer of responsibilities from the Director, Center for CIA Security to the Associate Deputy Director for Administration/Security; and from the Chief, Counterintelligence Center to the Associate Deputy Director for Operations for Counterintelligence.

**Release of**

A sanitized version of  was approved by the Directorate of Administration's Information Review Officer for release to individuals (or their counsel) who were denied access to classified information and are exercising their right to appeal.